

Non-Fixed Food Concessions Inspection Requirements

1. General

1.1. This document applies to Non-Fixed Food Concessions (NFFC) include but not limited to enclosed trailers, buses, vans, and other similar enclosed equipment, mobile or immobile, used to prepare, cook and serve food to the public.

1.1.1. Cooking within tents shall comply with Oregon Fire Code (OFC) Chapter 31.

1.1.2. Cooking that is not enclosed shall comply with the Open Cooking Concessions (OCC) Inspection Requirements document adopted by the Bend Fire Department

1.2. Requirements that are essential for the public safety of an existing or proposed activity, building or structure, or for the safety of the occupants thereof, which are not specifically provided for by this code shall be determined by the fire code official.
(Oregon Fire Code (OFC) 102.9)

2. Cooking

2.1. Cooking that DOES NOT produce grease laden vapors or smoke: NFFC's containing cooking operations that do not produce grease laden vapors or smoke does not require a set back from other booths, buildings and combustible materials except to comply with Sections 3.4, 3.9 and 3.10 of this standard. (OFC 102.9)(Sections 2.2, 2.4, 3.1.1 and 3.2 do not apply to these types of NFFC's)

2.2. Cooking that DOES produce grease laden vapors or smoke: NFFC's containing cooking operations that do produce grease laden vapors or smoke shall be located at least 20 feet from other booths, buildings and combustible materials. This includes combustible coverings for seating, fencing and tents. (OFC 102.9)

2.2.1. Exception – if the grease laden vapor or smoke producing cooking operation is protected with a Type 1 Hood and Commercial Cooking Suppression System, the distance can be reduced to 5 feet separation to other booths, buildings and combustible materials. This includes combustible coverings for seating, fencing and tents. (OFC 102.9, 603.4.2.1.2 and 609; NFPA 96: 7.8.3)

2.3. All commercial hood ventilating systems are required to be installed in accordance with the Oregon Mechanical Specialty Code and be inspected at intervals listed in the OFC Table 609.3.3.1. If during the inspection it is found that hoods, grease-removal devices, fans, ducts or other appurtenances have an accumulation of grease, such components shall be cleaned. (OFC 609.3.3 and 609.3.3.2)

Type of cooking operations	Frequency of Inspection/Cleaning
High-volume cooking operations such as 24-hr cooking, charbroiling or wok cooking	3 months
Low-volume cooking operations such as places of religious worship, seasonal businesses and senior centers	12 months
Cooking operations utilizing solid fuel burning cooking appliances	1 month
All other cooking operations	6 months

- 2.4. All commercial cooking suppression systems shall be installed as per the Oregon Mechanical Specialty Code and be serviced at least every 6 months and after any activation. (*OFC 904.11.6.2*)
- 2.5. Cooking appliances shall be approved and listed for their use. Shall follow all manufactures instructions and precautions with all appliances used. (*OFC 609.2.3*)
- 2.6. All cooking shall be ventilated to prevent the buildup of CO gas and other harmful byproducts of cooking operations. A carbon monoxide detector shall be provided inside the NFFC if there is a carbon monoxide source inside the NFFC. (*OFC 102.9*)
- 2.7. Open flame cooking devices such as charcoal burners and other open-flame cooking devices, not inside an enclosed NFFC, shall not be operated within 10 feet of combustible construction unless the building and any overhangs are protected by a fire sprinkler system. (*OFC 308.1.4*)

3. **Safety**

- 3.1. Fire extinguishers are required on site for every NFFC vendor booth where cooking is being conducted, indoors or outdoors, shall provide the following:
 - 3.1.1. A portable fire extinguisher having a “K” rating is required in any NFFC, indoors or outdoors, where cooking equipment involves solid fuels or vegetable or animal oils and fats or deep fat fryers are used. (*OFC 904.11.5*)
 - 3.1.2. All NFFC’s shall be equipped with a 2A-10B:C rated fire extinguisher (*OFC 906.1*)
 - 3.1.3. No employee will have to travel more than 30 feet to obtain a fire extinguisher. (*OFC 906.1*)
 - 3.1.4. All staff shall be familiar with the use and location of the fire extinguisher. (*NFPA 10*)
 - 3.1.5. All fire extinguishers shall indicate as being serviced within the past 12 months and inspected within the last 30 days. (*NFPA 10*)
 - 3.1.6. Fire extinguishers shall be made readily visible, in a conspicuous location, accessible and unobstructed. (*OFC 906.5, 906.6, 906.7*)
 - 3.1.7. Fire extinguishers shall be mounted in an approved location with handle no higher than 5 feet and the base not less than 4 inches off the ground. (*NFPA 10*)
- 3.2. When deep fat frying with a liquid depth of more than ¼ inch, a metal lid (or hard lid made from fire resistive material) that covers the entire cooking area shall be readily available. (*OFSM*)
- 3.3. Exiting and aisles: Each booth shall have a minimum of one exit leading directly out of the area without exiting through intervening spaces including other concession stand/booth, display, or enclosed areas. (*OFC 1003*)
 - 3.3.1. Interior public seating for a NFFC shall be approved by the fire code official (*OFC 102.9*)
- 3.4. Access to utilities on NFFC’s shall be provided at all times and a 3-foot clearance to all access hatches and doors shall be provided. (*OFC 102.9*)
- 3.5. Generator shall comply with manufactures listed use and safety information. Generators shall not be fueled while running. Generators must be at least 10 feet from the NFFC. Generators shall not be located within 20 feet of tents. (*OFC 102.9 and 3104.7*)
- 3.6. Tents, with or without sides walls, which are used in conjunction with NFFC’s shall comply with OFC Chapter 31.

- 3.7. Waste/trash: Combustible waste material shall not accumulate and a waste collection receptacle shall be maintained. *(OFC 315)*
- 3.8. Fire hydrants/fire department connections: Fire hydrants and fire department connections shall be maintained without obstructions including posts, fences, vehicles, growth, trash, storage or other obstacles which would hinder locating or use. ORS 811.550(16) prohibits parking within 10 feet of a fire hydrant. *(OFC 507.5.4 and 507.5.5)*
- 3.9. Heating equipment: Heating equipment includes electric or fuel burning appliances, portable or permanent heating devices, and heating devices which have open elements, open flames, or concealed elements. Heating equipment shall be as follows:
- 3.9.1. Clearance from the appliance(s) to other combustibles shall be in accordance with the manufacturer's installation instructions. If no manufacture details are available clearance requirements shall be maintained at no less than 36 inches. *(OFC 102.9 and 305.1)*
 - 3.9.2. Portable space heaters that produce open or exposed flames are prohibited from use in tents, booths, or similar settings. *(OFC 603.4)*
 - 3.9.3. Patio/Umbrella gas type heaters are allowed for outside use only. Shall not be located beneath, or closer than 5 feet to combustible decorations and combustible overhangs, awnings, sunshades or similar combustible attachments to buildings, structures or booths. *(OFC 603.4.2.1.3)*
- 3.10. LPG-compressed flammable gas/fuels: The storage and use shall be as follows:
(OFC Chapter 61)
- 3.10.1. The storage and use of liquefied petroleum gas (LPG) tanks inside of NFFC's is prohibited. *(6104.1 and NPFA 58)*
 - 3.10.1.1. LPG tanks up to 125 gallons shall be permitted to be directly against NFFC as long as comply with OSFM requirements. *(OFC 102.9)*
 - 3.10.1.2. LPG tanks over 125 gallons and up to 500 gallons shall be a minimum of 10 feet from buildings, combustible vegetation and trash containers. *(OFC 6104.3)*
 - 3.10.1.3. LPG tanks greater than 500 gallons shall have 25 feet from buildings, combustible vegetation and trash containers. *(OFC 6104.3)*
 - 3.10.2. LPG piping shall either be part of a listed assembly or have documentation from an licensed or qualified installer indicating it is install properly. *(OFC 6101.1)*
 - 3.10.3. LPG piping shall be protected from damage. *(OFC 6103.3)*
 - 3.10.4. LPG tanks shall be located so they are not in contact with direct flame, high heat situations, or sparks. *(OFC 6107.2)*
 - 3.10.5. LPG tanks shall be protected from vehicle impact by approved means. *(OFC 6107.4)*
- 3.11. Electrical: All electrical equipment shall comply with the following:
- 3.11.1. All electrical equipment shall be listed or labeled and used in accordance with the listing or label instructions from the manufacturer. *(OFC 605.7)*

- 3.11.2. Electrical wiring, devices, appliances and other equipment shall be ONLY used if in good working condition. Modified or damaged equipment shall NOT be used. (OFC 605.1)
- 3.11.3. Open junction boxes and open-wiring splices shall be PROHIBITED. Approved covers shall be provided for all switch and electrical outlet boxes. (OFC 605.6)
- 3.11.4. Outdoor public spaces or potentially wet environments shall have Ground Fault Circuit Interrupters (GFCI) installed in permanent wiring circuits. When NO GFCI are installed on permanent wiring circuits, removable GFCI cords or GFCI power tapes shall be used. (OFC 605.6)
- 3.11.5. Clamp type lights and appliances shall be made secure. (OFC 102.9)
- 3.11.6. Extension cords shall NOT be a substitute for permanent wiring. (OFC 605.5)
- 3.11.7. Extension cords shall be used ONLY with portable appliances.(OFC 605.5)
- 3.11.8. Extension cords shall be plugged directly into an approved receptacle and shall serve only ONE portable appliance. (OFC 605.5)
- 3.11.9. Extension cords shall NOT be affixed to structures, extended through walls, ceilings or floors, under doors or floor coverings nor shall such cords be subject to environmental damage or physical impact. (OFC 605.5)
- 3.11.10. Physical protection is required in public areas with vehicle and foot traffic. (OFC 605.5)
- 3.11.11. The ampacity of the extension cords shall NOT be less than the rated capacity of the portable appliance supplied by the cord. The minimum required rating is 15 amps. (OFC 605.5)
- 3.11.12. Multi-plug adaptors, such as cube adaptors shall be approved and listed. Adapters without visible listings or markings will NOT be allowed. Multi-plug adapters must be plugged directly into an approved electrical receptacle. (OFC 605.4)
- 3.11.13. Power taps (fused power strips) shall be listed with overcurrent protection (circuit breaker) integrated into the tap. Power tap cords and receptacles shall be polarized or grounded type. (OFC 605.4.1)
- 3.11.14. Power taps shall be directly connected to a permanently installed receptacle. Power taps CANNOT be connected to each other creating a chain of power taps. (OFC 605.5)
- 3.11.15. Temporary wiring (other than extension cords) requires an electrical permit. (OFC 605.1)
- 3.12. Any other operation or condition not mentioned above shall comply with applicable codes, laws, regulations or fire code official requirements (OFC 102.9)

4. **Compliance**

- 4.1. Failure to comply with any portion of this order is considered a failure to comply with Bend City Code 8.10.010.